



March 7, 2011

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-B204
Washington, DC 20554

**Re: Notice of *ex Parte* in WC Docket No. 02-60
Brazos Valley Council of Governments**

Madam Secretary:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, we hereby provide notice of an oral *ex parte* presentation in connection with the above captioned proceeding. On March 7, 2011, Tom Wilkinson, Executive Director of the Brazos Valley Council of Governments, and Lou Lehrman of Fabiani & Company, met separately with Zachary Katz, Legal Advisor to Chairman Genachowski and Christine Kurth, Legal Advisor to Commissioner McDowell.

We discussed a number of issues relating to the Commission's *Notice of Proposed Rulemaking* in the above-referenced docket (FCC 10-125, rel. July 15, 2010). Specifically, we discussed the urgent need for increased broadband connectivity in the Brazos Valley region of Texas – lack of connectivity in such areas continues to be a critical problem, particularly as the nation seeks to effectively implement electronic health records and as the Commission ushers in Next Generation 911. We reviewed the scope of a proposed health network to be built and managed by Brazos 2020 Vision, Inc., a non-profit corporation, and discussed how this network could provide much needed connectivity beginning as soon as 12 months from when funding is committed.

We also discussed the Commission's Notice of Proposed Rulemaking including the need for the Commission to move forward with the proposed health infrastructure program. We discussed the importance of the infrastructure program rules allowing installation of excess capacity by eligible health entities care and how such excess capacity is critical to efficient network design, network sustainability, and ultimately ensuring such networks require a one-time only federal investment. We discussed evidence suggesting excess capacity will benefit the larger rural community in the part by making wholesale capacity to reach more of their customers and provide them with better services.

A copy of our presentation slide is enclosed. If you have any questions or require any additional information, please contact the undersigned counsel directly.

Sincerely,

Louis Lehrman
Fabiani & Company

Enclosure

cc: Zachary Katz, Esq.
Christine Kurth, Esq.
Jeffrey A. Mitchell, Esq.